

Docket No.: RUCH
Appl. No.: 10/801,485

REMARKS

The last Office Action of October 24, 2005 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-30 are pending in the application. Claim 22 has been withdrawn from further consideration. Applicant herewith affirms the withdrawal of claim 22 from further consideration. No amendment has been made.

Claims 1, 5-8, 10-21, 23, and 27-30 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Pat. No. 5,318,358 to Wobbe et al.

Claims 2-4, 9, and 24-26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Wobbe et al.

The rejection under 35 U.S.C. 103(a) is respectfully traversed.

The present invention is directed to a comb element which includes an involute surface provided with a plurality of surface structure elements that are set back from the involute surface. In other words, the involute surface of the comb element is indented or recessed inwardly to provide free spaces. As a result, the comb elements do not intermesh; rather they roll off with their structured surface on one another. As the surface structures are not in intermeshing contact, fibers are gently treated and not cut. Reference is made here for example to paragraph [0009] of the instant specification.

Wobbe et al. merely describes a screw kneader having screw portions (5) with meshing teeth. Applicant fails to recognize any structures in a same radial plane that are set back from an involute surface in the absence of an intermeshing engagement, as set forth in independent claims 1, 11 and 23. Please note that element (8) merely designates a drive shaft to provide rotational drive of the screw.

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For the reasons set forth above, it is applicant's contention that Wobbe et al. neither teaches nor suggests the features of the present invention, as recited in independent claims 1, 11 and 23.

As for the rejection of the dependent claims, these claims depend on claims 1, 11 and 23, respectively, share their presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

Withdrawal of the rejection of claims 1-21 and 23-30 under 35 U.S.C. §103(a) and allowance thereof are thus respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

Henry M. Feiereisen
Agent For Applicant
Reg. No: 31,084

Date: January 24, 2006
350 Fifth Avenue
Suite 4714
New York, N.Y. 10118
(212)244-5500
HMF:af